

REMARKS

Claims 1-48 are pending in the application. Claims 1-48 have been revised to further clarify the applicants' invention as post-diagnoses electronic patient healthcare systems, methods, or storage media. The amendments are fully supported by the specification as originally filed, *inter alia*, at Figure 4, paragraphs [0078], [0092], [0093], etc. No new matter is presented by the amendments. Accordingly, applicants respectfully request entry thereof, and reconsideration of claims 1-48 in light of the following remarks.

Pages 2-33 of the Action reject claims 1-13, 15-19, 25-39, and 41-46 under 35 U.S.C. §103(a) as being unpatentable over Joao, U.S. Patent Application No. 2001/0032099 ("Joao"), in view of Soll *et al.*, U.S. Patent Application No. 2003/0055679 ("Soll"). Applicants respectfully traverse this rejection.

Independent claims 1, 8, 13, 19, 25, 30, and 39, all recite **post-diagnostic** methods, systems, and media that guide a patient along a treatment pathway related to a **previously diagnosed medical condition requiring a medical event** comprising, *inter alia*, pre-medical event and post-medical event tasks that prepare and educate a patient for the medical event and for post-medical event recovery. The Action alleges that Joao and Soll disclose these post-diagnostic treatment pathways leading up to and from a medical event. Applicants respectfully disagree.

Joao discloses a health care system that performs a diagnosis of a patient, prescribes a treatment, and monitors the treatment through the use of medical status measuring devices and diagnosing logic. The Action correctly states that "Joao fails to disclose a system for guiding a patient along a treatment pathway" (Page 4 of the Action). Further, as the system of Joao discloses a diagnosing system, Joao cannot disclose a post-diagnostic system for guiding a patient along a treatment pathway related to a previously diagnosed medical condition. Soll discloses a medical treatment system that performs an intake interview with a patient at a health facility, aids a doctor in diagnosing the patient, and performs a performance review on the experience. The Action incorrectly cites to Soll at paragraphs 64 and 65 as disclosing the pre-medical event and post-medical event tasks. In Soll, diagnostic questions are asked of a patient. Educational and "priming" information is provided by the system of Soll to the patient to aid in *answering the diagnostic questions*.

In direct contrast to the disclosures of Joao and Soll, the present claims recite a **post-diagnostic system, method, and storage media that guides a user along a treatment pathway relating to a previously diagnosed medical condition requiring a medical event through various pre-medical event and post-medical event tasks.** In other words, the medical event is not a diagnosis. The pre-medical event tasks are not related to a diagnostic procedure, as that procedure has already occurred. As neither of the cited references even discuss a treatment pathway in light of a medical event for a previously diagnosed medical condition, not to mention predetermined pre-medical event and post-medical event tasks in preparation for and subsequent to that medical event, Joao in view of Soll fails to disclose all of the elements of the present claims. Consequently, Joao in view of Soll can not render unpatentable claims 1, 8, 13, 19, 25, 30, and 39. For at least these reasons, dependent claims 2-7, 9-12, 14-18, 20-4, 26-29, 31-38, and 40-48, also are not rendered unpatentable by Joao in view of Soll.

Pages 33-38 of the Action reject claims 14, 20-24, 40, 47, and 48, under 35 U.S.C. §103(a) as being unpatentable over Joao in view of Soll, further in view of Schoenburg *et al.*, U.S. Patent No. 6,463,417 (“Schoenburg”). Applicants respectfully traverse this rejection.

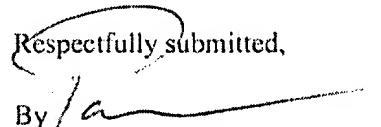
Claims 14, 20-24, 40, 47, and 48 depend from independent claims 13, 19, and 39, which the applicants believe to be allowable for the reasons mentioned above. Accordingly, claims 14, 20-24, 40, 47, and 48, are not rendered unpatentable as depending from allowable claims.

In view of the foregoing, applicants believe the pending application is in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions concerning the foregoing, Examiner Glass is invited to contact the undersigned at the telephone number listed below.

No additional fees are believed to be required for entry and consideration of this response. Nevertheless, in the event that the U.S. Patent and Trademark Office requires any additional fee to enter this response or to maintain the instant application pending, please charge such a fee to the undersigned's Deposit Account No. 07-1700.

Dated: November 20, 2007

Respectfully submitted,

By 
Patrick A. Doody
Registration No.: 35,022
GOODWIN PROCTER LLP
901 New York Avenue, NW
Washington, DC 20001
(202) 346-4000
Attorney for Applicant